



Rush

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Juan Artemio ARAUJO-Zepeda,

Defendant.

Magistrate Case No. **'08 MJ 87 00**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about August 6, 2008, within the Southern District of California, defendant Juan Artemio ARAUJO-Zepeda, did knowingly and intentionally import approximately 18.88 kilograms (41.53 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Victor O. Esparza, Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, ON THIS 7th
DAY OF AUGUST, 2008


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Juan Artemio ARAUJO-Zepeda

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents and
6 notes furnished to U. S. Immigration and Customs Enforcement
7 Special Agent Victor O. Esparza.

8 On August 6, 2008, at approximately 1209 hours, Juan Artemio
9 ARAUJO-Zepeda (ARAUJO) applied for admission into the United States
10 from Mexico at the Calexico, California, east port of entry.
11 ARAUJO was the sole occupant driver of a 2004 Chevrolet Blazer.

12 ARAUJO gave a negative customs declaration to Customs and
13 Border Protection Officer (CBPO) M. Salazar. ARAUJO and the
14 vehicle were referred to secondary for further inspection.

15 In vehicle secondary, ARAUJO stated to CBPO J. Ortiz that he
16 has owned the vehicle for three months, but was not registered in
17 his name. A Narcotic Detector Dog alerted to the spare tire of the
18 vehicle.

19 A total of eight (8) packages were removed from the spare
20 tire. CBPO Ortiz probed one of the packages and a sample of a
21 green leafy substance was extracted. The substance field tested
22 positive for marijuana. The eight packages had a combined weight
23 of approximately 18.88 kilograms (41.53 pounds) of marijuana.

24 Agent Esparza advised ARAUJO of his rights per Miranda.
25 ARAUJO stated he understood his rights and was willing to answer
26 questions without the presence of an attorney. ARAUJO admitted
27 knowledge of the marijuana concealed within the vehicle.
28